IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.3722 OF 2003

Mr.S.R. Page for the Petitioner.

Mr.Girish Godbole for the Respondent.

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	CORAM: D.K.DESHMUKH, J.
	DATED: 8TH JUNE,2005

P.C.:

Perusal of the operative part of the order dated 8-8-2002 passed in Regular Civil Suit No.255 of 1999 shows that only a decree of declaration was granted and decree of possession of the property that was sought in the plaint has not been granted. Therefore, the trial court has rightly refused to execute the decree. If according to the Plaintiff, he had prayed for decree of possession and he is entitled for the same, his remedy was to

challenge the operative part of the order passed by the trial court. I do not find any error in the order impugned. Petition is rejected.

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